

Chapter 10.32**MOVEMENT OF OVERLOADS**

(1392-3/68, 1976-5/75, 2082-8/76, 2442-8/80, 2804-12/85, 2881-12/86)

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10.32.010 Purpose--Application. The purpose of this chapter is to regulate and limit the use of certain public streets and public property within the city by any vehicle defined in this chapter as an overload, in order to prevent damage to street foundations, surfaces or structures, to protect bridges and other public or private property and life from damage or injury resulting from the moving, or having upon a public street an overload, and to promote the general health, welfare and safety of the citizens of this city. (1392-3/68)

10.32.020 Governmental agencies. The provisions of this chapter shall apply to the United States, this state, counties, municipal corporations, school districts and to all other governmental bodies, agencies or instrumentalities; provided, however, that if any such governmental agency shall file with the Director of Public Works an agreement in writing to pay all damages, costs or expenses which may be suffered or incurred by this city as a result of the movement of any overload by such agency, then such agency need not pay any permit fee or post any deposit or policy of liability insurance required by this chapter. This exemption shall not apply to any private contractor engaged by any governmental agency, nor to any equipment or vehicle not operated by any employee of the governmental agency moving the overload under the supervision and control of an officer thereof. (1392-3/68)

10.32.030 Definitions. The following words and phrases shall have the meanings hereinafter set forth, and if any word or phrase is not hereinafter defined, it shall have the meaning set forth in the California Vehicle Code, provided that if any such word or phrase is not defined in said Vehicle Code, it shall have the meaning attributed to it in ordinary usage:

(a) "City" means the City of Huntington Beach, California.

(b) "Department" means the Department of Public Works of the city.

- (c) "Director" means the Director of the Department of Public Works of this city or his authorized representative.
- (d) "Gross weight" means the combined weight of a vehicle and its load.
- (e) "Overload" means and includes any vehicle or combination of vehicles exceeding the limitations set forth in Division 15 of the California Vehicle Code relating to height, width, length, size or weight of a vehicle or load.
- (f) "Person" means any person, firm, individual, corporation, partnership, trust or other organization, and shall include an owner, lessee, agent or employee of any person, firm, individual, corporation, partnership, trust or other organization.
(1392-3/68, 2082-8/76, 2881-12/86)

10.32.040 Permit required. It is unlawful for any person to move, permit or cause to be moved, any overload upon any public street or place in the city, without first obtaining a permit therefor from the director as required by this chapter. (1392-3/68)

10.32.050 Permit--Movement compliance. It is unlawful for any person to move, or permit or cause to be moved, any overload upon a public street or place in the city contrary to the terms and conditions of the permit issued by the director, in violation of any provision of this chapter, other applicable provisions of this code, or of the California Vehicle Code, over a route or at a time other than that specified on the permit. This section shall not apply to an overload being moved at the request of an authorized public officer in the event of flood, fire, earthquake or other public disaster or exigency, or for the purposes of national defense. Any permit may be revoked by the director at any time for a violation by permittee of this chapter, or when public health, safety or welfare requires such revocation. (2082-8/76, 1392-3/68)

10.32.060 Permit--Types and their fees.

- (a) One-day Permit. A permit is necessary to move a specified overload on city streets during one day. Any number of trips may be made on the day for which the permit is issued. The fee for such permit shall be set by resolution of the City Council.
- (b) Temporary Permit. A permit is necessary to move specified identical overloads on city streets for a period of time not exceeding thirty (30) days. The fee for such permit shall be set by resolution of the City Council.
- (c) Annual Permit. A permit is necessary to move specified identical overloads in the city streets for a period not exceeding one year. The fee for such permit shall be set by resolution of the City Council. (1392-3/68, 2082-8/76, 2442-8/80, 2881-12/86)

10.32.070 Permit--Application. Application for a permit to move an overload upon the public streets of this city, together with the fee required for the type permits requested shall be submitted to the director. The director may delay issuance of the requested permit for the purpose of processing and/or investigation of route for a period not to exceed three (3) working days after submittal of the application and fee. (1392-3/68, 2082-8/76)

10.32.080 Permit--Application--Contents. The application for an overload permit shall be made on a form furnished by the director, and shall contain the following information:

- (a) Length of time for which the permit is requested, i.e., for a single trip, or thirty (30) days, or annual;
- (b) Except in requests for annual permits, a statement of the street or place over which applicant desires to travel;

- (c) A complete description of the vehicle or vehicles to be operated, including the make, license number and weight, and name of the registered owner of the truck;
- (d) A description of the type load to be moved, and if the request is for an annual, the number of trips contemplated;
- (e) Such other information as the director determines necessary to carry out the provisions of this chapter. (1392-3/68, 2082-8/76, 2881-12/86)

10.32.090 Permit--Application--Processing. The applicant for an overload permit shall submit his application to the authorized representative of the public works director. After preliminary examination by the public works department, the applicant may hand carry his application to the authorized representative of the Chief of Police who may cause investigations to be made concerning compliance with state laws and local ordinances regulating vehicle traffic safety and congestion, and the safety of all property, public and private, including any public utility which may be affected by proposed movement of an overload on the city streets. After preliminary examination by the police department, the applicant may hand carry his application back to the public works department. If an investigation is made, the Chief of Police shall report his findings to the Director of Public Works. (1392-3/68, 2082-8/76)

10.32.100 Permit--Contents. A permit to move any overload shall set forth on its face the period of time for which it is to be effective, the routes over which the overload may be moved. Any permit which fails to contain any of the above information or which purports to grant authority to move any overload contrary to the provisions of this chapter is void, and the city or any city officer or employee is not liable for any damages resulting to applicant due to such permit failing to contain any of such information. (1392-3/68)

10.32.110 Permit--Issuance. The director, as he deems necessary and reasonable, may issue or refuse to issue an overload permit or may issue a permit on such terms and conditions as he deems necessary to protect the public streets or property of any person, including limiting the number of trips, the weight, time of day trips are made, season during which trips are made, and requiring applicant to obtain written approval of any person whose property will be unduly disturbed or endangered by applicant's moving an overload upon the public streets. (1392-3/68)

10.32.120 Permit--Carried in vehicle or on operator. Every overload permit shall be carried in the vehicle or with the operator of the vehicle to which it refers and shall be presented upon demand to any peace officer, traffic officer or other authorized agent of the department of the city charged with the care and protection of the city streets. (1392-3/68)

10.32.130 Utility property displacement. Whenever the moving of any overload requires the removal or displacement of any wire or other property of any public utility it shall be the duty of the applicant to give notice and make such deposits as are required by the affected public utility, and of the public utility to act in an efficient and expeditious manner to remove or displace or cause to be removed or displaced, such wire or other property. (1392-3/68)

10.32.140 Time and route determined. The director shall determine or approve the times when an overload may be moved, and shall determine or approve the route over which each overload may be moved, in accordance with such movement permitted by underpasses, overhead wires and other obstacles, condition of the streets and other pertinent conditions. Routes shall, whenever possible, be confined to arterial highways and not local streets. Overloads traveling on a route approved by the director are exempt from any truck route regulations. (1392-3/68)

10.32.150 Escort--Required when. It is unlawful for any person, unless accompanied by an escort assigned by the director, to move upon any public street or place, any overload which falls within any of the following categories:

- (a) Has a gross weight in excess of fifty tons (100,000 pounds);
- (b) The load or vehicle exceeds in width one-half the narrowest roadway over which such overload is moved;
- (c) The load or vehicle exceeds eighteen feet (216 inches) in width, or sixteen feet (192 inches) in height;
- (d) The load or vehicle exceeds 65 feet overall in length.

If the director determines that such movement of the overload may be made safely without damage to the street or injury to persons, or undue interference with traffic or the use of the streets by the public, he may waive the requirements of this section. (1392-3/68)

10.32.160 Escort--Deposit for costs. Every applicant for a permit to move any overload required to be accompanied by an escort shall file with the director a deposit of cash sufficient to cover the costs of the escort at the rate of twenty dollars for each half day (4 hours) or fraction thereof over four hours, for the length of time the director deems necessary for the performance of such service. The director shall deposit all such escort fees with the city treasurer. Upon the completion of the moving of such overload, the director shall deduct from such deposit the sum of twenty dollars (\$20) for each half day (4 hours) or fraction thereof, or of forty dollars (\$40) for each full day (8 hours) or fraction thereof over four (4) hours, for the time such escort was used by applicant, and shall authorize the director of finance to refund to the applicant any difference between the amount deposited and the amount so deducted. If an amount insufficient to pay the costs of the escort at the above rates were deposited by applicant, he shall pay to the director an additional amount of money sufficient to pay for the cost of the escort. (1392-3/68)

10.32.170 Escort--Assigned by director. When any overload is required to be accompanied by an escort and a permit has been issued and the deposit for the escort has been paid to the director, the director shall assign an escort to accompany the overload. It shall be the duty of the mover of any overload to notify the director at least twenty-four (24) hours in advance of the time the move is to be started and the escort needed. (1392-3/68)

10.32.180 Parking overload vehicle. When it becomes impossible or impractical to remove an overload from the city and such overload must be parked upon any public place in the city, detour signs and warning lights approved by the director shall be so placed as to make passage of such overload safe for regular traffic on the street. The director and the Chief of Police shall be notified immediately that such overload will be parked, and either of such officers may require such overload to be removed to a place he deems safe for such overload and other traffic on the street. (1392-3/68)

10.32.190 Moving at night. When any overload must be moved at night and the director has issued a permit therefor, warning lights must be placed upon such overload to indicate the clearance of such overload in the front and on the rear and each side. Such warning lights must be visible from a distance of five hundred (500) feet from the front, rear and each side, and there must be at least four (4) such warning lights visible from the front, rear and each side of such overload. In addition, flagmen must be employed to warn approaching traffic of the presence of such overload. The director may require such additional warning lights and signs as he deems necessary for the protection of other drivers. (1392-3/68)

10.32.200 Public liability insurance. The applicant shall furnish evidence of and maintain during the period for which an overload permit is issued, a public liability policy in the following amount or an amount equal to that required by the California Public Utilities Commission:

Combined single limit bodily injury and/or property damage: Combined single limit per occurrence in an amount equal to the amount required by the Public Utilities Commission at the time the application is filed. (1392-3/68, 1976-5/75, 2082-8/76, 2804-12/85)

10.32.220 Damage--Report. Applicant shall report any damage to any property, public or private, as a result of moving or having upon public streets, any overload. Such report shall be presented to the director within twenty-four (24) hours after such damage is caused. Such report shall include the location, cause and description of any such damages, and the names of any witnesses. (1392-3/68)

10.32.230 Damage--Responsibility. The city, the City Council, the director or any city employee shall not be liable for any loss or damage arising out of any violation or failure to comply with this chapter. (1392-3/68)